

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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MIGUEL TEJEDA,	:	
	:	
Plaintiff,	:	
	:	21-CV-2236 (JMF)
-v-	:	
	:	<u>ORDER</u>
OKI RINGO, LLC, et al.,	:	
Defendants.	:	
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JESSE M. FURMAN, United States District Judge:

On July 22, 2021, Defendants filed a motion to dismiss the complaint under Rule 12(b) of the Federal Rules of Civil Procedure. Although Plaintiff has already amended his Complaint once, *see* ECF No. 20; *see also* ECF No. 27 (granting Plaintiff leave *nunc pro tunc* to amend his Complaint even though the time for him to do so as a matter of right under Rule 15(a)(1) had expired), in light of Rule 15(a)(2)'s instruction to "freely give leave" to amend "when justice so requires," the Court will once again grant Plaintiff leave to amend his operative Complaint.

Accordingly, it is hereby ORDERED that Plaintiff shall file any amended complaint by **August 12, 2021**. Plaintiff will not be given any further opportunity to amend the complaint to address issues raised by the motion to dismiss.

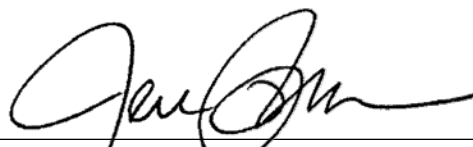
If Plaintiff does amend, by three (3) weeks after the amended complaint is filed, Defendants shall: (1) file an answer; (2) file a new motion to dismiss; or (3) file a letter on ECF stating that it relies on the previously filed motion to dismiss. If Defendants files an answer or a new motion to dismiss, the Court will deny the previously filed motion to dismiss as moot. If Defendants files a new motion to dismiss, any opposition shall be filed within fourteen days, and any reply shall be filed within seven days of any opposition.

If no amended complaint is filed, Plaintiff shall file any opposition to the motion to dismiss by **August 12, 2021**. Defendants' reply, if any, shall be filed by **August 19, 2021**.

Finally, it is further ORDERED that the initial pretrial conference previously scheduled for August 25, 2021 is adjourned *sine die*.

SO ORDERED.

Dated: July 22, 2021
New York, New York



JESSE M. FURMAN
United States District Judge